

CITY OF TIGARD, OREGON

RESOLUTION NO. 05- 02

A RESOLUTION INITIATING VACATION PROCEEDINGS FOR A PUBLIC SEWER UTILITY EASEMENT OF APPROXIMATELY 476 SQUARE FEET LOCATED AT SW PFAFFLE STREET @ SW 79th AVENUE (VAC2004-00002).

WHEREAS, the public sewer utility easement of approximately 1,429 square feet had previously been dedicated to the public; and

WHEREAS, the applicants have requested that the City of Tigard initiate vacation proceedings to vacate a 476 square foot portion of the 1,429 square foot sewer utility easement by reducing its width to the City's minimum standard of 10 feet from its present 15 foot width, as described and shown in Exhibits "C" and "D"; and

WHEREAS, the said sewer utility easement, or portions thereof, are not necessary to advance the public health, safety or welfare, in consideration of realigned easement and reconstructed sewer line using modern materials; and

WHEREAS, the Tigard City Council finds it appropriate to initiate vacation proceedings for the requested public utility easement.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The Tigard City Council hereby initiates a request for the vacation of an approximately 476 square foot portion of a 1,429 square foot sewer utility easement by reducing its width to the City's minimum standard of 10 feet from its present 15 foot width, as described and shown in Exhibits "C" and "D" and by reference, made a part hereof.

SECTION 2: A public hearing is hereby called to be held by the City Council on February 8, 2005 at 7:30 PM in the Town Hall at Tigard City Hall, 13125 SW Hall Boulevard, within the City of Tigard, at which time and place the Council will hear any objections thereto and any interested person may appear and be heard for or against the proposed vacation of said public utility easements.

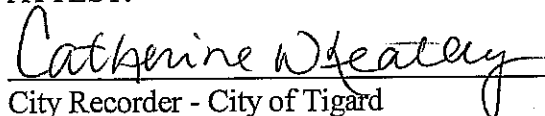
SECTION 4: This resolution is effective immediately upon passage.

PASSED: This 11th day of January 2005.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

EXHIBIT C

ZTec Engineers, Inc.
Civil ♦ Structural ♦ Surveying

John McL. Middleton P.E.

Chris Fischborn P.L.S.

Ronald b. Sellards P.E.

3737 SE 8th Avenue
Portland, Oregon 97202
503-235-8795 – Fax 503-233-7889
Email: chris@ztecengineers.com

October 21, 2004

VACATION OF A 5 FEET WIDE PORTION OF A SEWER EASEMENT

A parcel of land, being a part of Lot 14 of the recorded Plat of Friendly Acres, located in the Southwest one-quarter of Section 36, Township 1 South, Range 1 West, of the Willamette Meridian, in the City of Tigard, Washington County, Oregon. Said parcel of land also being the Easterly 5.00 feet of a 15.00 foot wide Sewer Easement, benefiting the United Sewerage Agency and recorded in May of 1973 in Book 923, Page 540, Washington County deed records, and more particularly described as follows:

Beginning at the Northwest corner of said Lot 14, thence South 88°48'50" East, along the Northerly line of said Lot 14 to a point that is 10.00 feet Easterly of when measured at right angles to the Westerly line of said Lot 14, said point being the true point of beginning of the parcel of land herein described.

Thence South 00°21'00" West, parallel with and 10.00 feet Easterly of said Westerly line a distance of 95.29 feet to a point on the Northerly right of way line of said SW Pfaffle Street (Washington County Road No. 975); thence South 88°48'50" East along said Northerly right of way line a distance of 5.00 feet to a point that is 15.00 feet Easterly of when measured at right angles to the Westerly line of said lot 14; thence North 00°21'00" East, parallel with the Westerly line of said Lot 14, a distance of 95.29 feet, to a point on the Northerly line of said Lot 14; thence North 88°48'50" West along said Northerly line a distance of 5.00 feet to the true point of beginning.

Said Easement area contains an area of 476.45 square feet more or less.

EXHIBIT D

"FRIENDLY ACRES"

TRUE POINT OF
BEGINNING

LOT 15

S88°48'50"E 135.38'

P.O.B.

15' SEWER EASEMENT
BENEFITING U.S.A.
RECORDED MAY 1973
BK. 923, PG. 540

DEED (3)

5' EASEMENT TO
BE VACATED

N00°21'00"E 95.29'

S00°21'00"W 95.29'

N00°21'00"E 95.29'

LOT 14

25'

S.W. 79TH AVE.
N00°21'00"E

S00°21'00"W 74.28'

S45°45'34"W
29.48'

N88°48'50"W 114.38'

30'

S.W. PFAFFLE STREET

(CO. RD. NO. 975)

GRAPHIC SCALE



(IN FEET)

1 inch = 30 ft.

TITLE: **EASEMENT EXHIBIT**

DATE: 10-21-04

PLOT DATE: 10-21-04

DWG BY: JHH

CHK BY: JM

SHEET: 1 OF 1

FILE: L31791EXH

ZTec ENGINEERS, INC.3737 S.E. 8TH AVE.
PORTLAND, OREGON 97202
(503) 235-8795CLIENT: ~~CONTROL CONTRACTORS~~ *Sam Martindale*

** TOTAL PAGE.003 **